

HOUSE BILL 1404

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By: **Delegates Mizeur, Benson, Bobo, Bromwell, Donoghue, Gutierrez, Hixson, Howard, Hubbard, Hucker, Ivey, Kullen, McIntosh, Montgomery, Nathan-Pulliam, O'Donnell, Pena-Melnyk, Reznik, Stein, V. Turner, and Weldon**

Introduced and read first time: February 8, 2008

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Eliminating Barriers to Enrollment Act**

3 FOR the purpose of requiring the Maryland Medical Assistance Program and the
4 Maryland Children's Health Program to provide guaranteed eligibility for a
5 certain time period to enrollees who are under a certain age and to provide
6 presumptive eligibility to enrollees who are under a certain age; requiring the
7 Department of Health and Mental Hygiene to provide a certain report to certain
8 committees of the General Assembly on or before a certain date; and generally
9 relating to the Maryland Medical Assistance Program and the Maryland
10 Children's Health Program.

11 BY repealing and reenacting, without amendments,
12 Article – Health – General
13 Section 15–103(a)(1) and (b)(1)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2007 Supplement)
16 (As enacted by Chapter 7 of the Acts of the General Assembly of the 2007
17 Special Session)

18 BY repealing and reenacting, with amendments,
19 Article – Health – General
20 Section 15–103(b)(3)
21 Annotated Code of Maryland
22 (2005 Replacement Volume and 2007 Supplement)
23 (As enacted by Chapter 7 of the Acts of the General Assembly of the 2007
24 Special Session)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Health - General**

4 15-103.

5 (a) (1) The Secretary shall administer the Maryland Medical Assistance
6 Program.

7 (b) (1) As permitted by federal law or waiver, the Secretary may establish
8 a program under which Program recipients are required to enroll in managed care
9 organizations.

10 (3) (I) [Subject] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II)**
11 **OF THIS PARAGRAPH AND SUBJECT** to the limitations of the State budget and as
12 permitted by federal law or waiver, the program developed under paragraph (1) of this
13 subsection and the program developed under § 15-301 of this title may provide
14 guaranteed eligibility for each enrollee for up to 6 months, unless an enrollee obtains
15 health insurance through another source.

16 (II) **SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET**
17 **AND AS PERMITTED BY FEDERAL LAW OR WAIVER, THE PROGRAM DEVELOPED**
18 **UNDER PARAGRAPH (1) OF THIS SUBSECTION AND THE PROGRAM DEVELOPED**
19 **UNDER § 15-301 OF THIS TITLE SHALL PROVIDE, FOR EACH ENROLLEE UNDER**
20 **THE AGE OF 19 YEARS:**

21 **1. GUARANTEED ELIGIBILITY FOR UP TO 12**
22 **MONTHS, UNLESS THE ENROLLEE OBTAINS HEALTH INSURANCE THROUGH**
23 **ANOTHER SOURCE; AND**

24 **2. PRESUMPTIVE ELIGIBILITY.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December
26 30, 2008, the Department of Health and Mental Hygiene shall report to the Senate
27 Budget and Taxation Committee, the Senate Finance Committee, the House
28 Appropriations Committee, and the House Health and Government Operations
29 Committee, in accordance with § 2-1246 of the State Government Article, on the
30 Department's compliance with the outstationed worker requirements of 42 U.S.C. §
31 1396A(a)55.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 July 1, 2008.